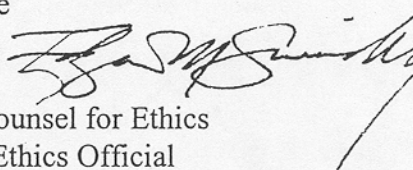




FEB 4 2002

MEMORANDUM

TO: Robert G. McSwain
Director, Office of Management Support
Indian Health Service

FROM: Edgar M. Swindell 
Associate General Counsel for Ethics
Designated Agency Ethics Official

SUBJECT: Appointment to Position of Deputy Ethics Counselor

Pursuant to my authority as "Designated Agency Ethics Official" under section 106 of the Ethics in Government Act of 1978 (as amended by the Ethics Reform Act of 1989) (5 U.S.C. app. section 106), I hereby appoint you to the position of "Deputy Ethics Counselor" for the Indian Health Service. This appointment will become effective immediately.

As a Deputy Ethics Counselor, you have the authority to review and consider: (1) Public Financial Disclosure Reports (SF 278); (2) Confidential Financial Disclosure Reports (OGE 450 and 450A); and (3) Requests to Engage in Outside Activities (HHS Form 520). You, in turn, may redelegate your authority to other officials in your respective organization (other than the authority to receive and review Public Financial Disclosure Reports [SF 278s], which may not be redelegated beyond Deputy Ethics Counselors), but only at a high enough level to be consistent with good management of this authority.

In addition to these responsibilities, you have the authority to issue procurement integrity advisory opinions described at 48 C.F.R. Section 3.104-7. This authority **may not** be redelegated. Attached is a copy of the applicable regulation which became effective January 1, 1997, and a sample advisory opinion.

If you resign or retire from the Department, or transfer to another organizational unit, please notify me as soon as possible so that I may appoint a successor Deputy Ethics Counselor.

Attachments

cc: Michael Trujillo
Jeanelle Raybon